

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	DATE: August 26, 2004
)	
Beatriz M. Otero)	DOCKET NO.: 03F-179
Member)	
Public Charter School Board)	
1769 Lanier Place, NW)	
Washington, DC 20009)	

ORDER

This matter came before the Office of Campaign Finance (OCF) based upon respondent's motion for reconsideration of the Order of the Director issued on September 26, 2003. On September 26, 2003, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file a Financial Disclosure Statement on or before June 19, 2003 for calendar year 2002. On October 1, 2003, respondent filed the Motion.

Summary of Evidence

In the Motion, respondent states that her term with the Public Charter School Board expired in February 2003. Respondent further states she was not aware that the current filing covers the previous year's activities. Respondent filed a fully executed Financial Disclosure Statement on October 1, 2003.

Findings of Fact

Having reviewed the respondent's motion and the record herein, I find that:

1. Respondent failed to timely file the required Financial Disclosure Statement in calendar year 2002 until August 7, 2002.
2. Respondent's term with the Public Charter School Board expired in February 2003.

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3. OCF provided notice to file if the filer ceases to serve prior to May 15th of any year, and within 30 days of any change in information on its Financial Disclosure Statement form.
4. Respondent filed the required Financial Disclosure Statement with OCF on October 1, 2003.
5. Respondent is currently in compliance with the statute.

Conclusions of Law

1. Pursuant to the Order In the Matter of: Beatriz Otero, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. In accordance with 3 D.C.M.R. §3711.5 (1999), respondent appealed this matter.
3. Respondent violated D.C. Official Code §1-1106.02.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent has failed to provide a basis for a finding of good cause; notwithstanding, respondent's filing of the required FDS mitigates toward a reduced fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director reduce the fine imposed to \$500.00 in this matter.

Date

**Jean Scott Diggs
Hearing Officer**

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Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that a fine of \$500.00 be hereby imposed in this matter.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.